

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CHERYL A. COLEMAN,

Plaintiff,

VS.

**MICHAEL J. ASTRUE, Commissioner
of the Social Security Administration,**

Defendant.

4:08CV3198

ORDER

On May 29, 2009, the court entered judgment in favor of the plaintiff, reversed the decision of the Commissioner, and remanded this matter to the Commissioner for a *de novo* hearing before an Administrative Law Judge. Plaintiff has applied for attorney fees in the amount of \$5,525.50 pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). (Doc. 24).

The court has reviewed the documentation submitted by the plaintiff in support of the motion and finds the request, as to the hours spent and the hourly fee requested, to be fair and reasonable. In the response filed July 13, 2009 (Doc. 27), defendant advised that the parties have agreed to a fee award in the amount of \$5,421.90 and the defendant does not object to payment of the award directly to plaintiff's counsel. Based on these representations, I find the motion for attorney fees should be granted in the amount of \$5,421.90.

Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412,

IT IS ORDERED that plaintiff's Application for Attorneys Fees (Doc. 24), is granted in the amount of \$5,421.90, made payable to Warren L. Reimer.

DATED July 14, 2009.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge